

## **DECLARATION OF JOHNNY W. GIBBS**

JOHNNY W. GIBBS declares pursuant to 28 U.S.C. § 1746 that:

1. I make this Supplemental Declaration in support of the Motion for Preliminary Injunction in this action.

2. I am 37 years old and currently a resident of Liberty, Cannon County, Tennessee.

3. I live with my mother, father, and sister in a trailer.

4. We were living in a motel at the commencement of this action, but were evicted because we could not pay the rent. We were homeless for about ten months. Our whole family stayed with friends or lived in the car during this time.

5. My father remains very ill and needs full-time care, which my sister provides. My family and I barely have enough money to pay rent and any loss of income would cause us to become homeless. We sometimes go entirely without food for one to two days. In the past year I have gone without food for three to four days.

6. I continue to owe Rutherford County \$404.50 and \$742.00 in Traffic Debt for my 2002 and 2006 convictions for driving on a suspended license, respectively.

7. To obtain a driver's license I must pay a total of \$1,146.50 to Rutherford County and an additional \$171 reinstatement fee to the Department. I cannot afford to pay anything at this time.

8. I suffer continuous harm because of my inability to pay the amount of money required to have my license reinstated.

9. Not having a driver's license continues to dramatically limit my employment opportunities. I have continued to seek employment as a day laborer through People Ready this past year. I earn \$30-\$40 a day if offered a job. I am offered a job through People Ready once or twice a week, but those jobs are limited by my transportation restrictions. Many of People

Ready's job opportunities are located in Nashville. I rely on my sister to drive me to work, but my sister cannot drive me to and from Nashville. For this reason, I often only earn \$40 per week. If I could obtain a valid driver's license, I could drive myself to work and would have more job opportunities.

10. Because I must rely on others for transportation, I have lost promising vocational opportunities. I recently was offered a job remodeling a restaurant through People Ready that was to be full-time, paying \$13 per hour with the possibility of overtime, and set to last several months.

11. I was offered such a well-paying position because I have been working through People Ready for years, and I have received the highest rating possible for a day laborer at the company, "Tier 1," because of the quality of my work. Tier 1 individuals are offered positions with higher pay, longer durations, and better opportunities to be hired on by the site location.

12. The remodeling job I was offered was in Crossville, but People Ready requires site workers to pick up paperwork from the People Ready office in Murfreesboro at the start of each day of work, provide the paperwork to the site employer for completion, and then return this paperwork to the People Ready office in Murfreesboro at the conclusion of every day in order for People Ready to verify successful completion of the work and pay out daily earnings. I was unable to drive myself, and my family members would not have been able to consistently drive me, from where I lived in Beechgrove, to Murfreesboro, to Crossville, back to Murfreesboro, and then home consistently.

13. In fact, I could not find transportation for the first day of this new job. As a result, I was denied the job, and "suspended" from People Ready for two weeks, as is company policy for individuals who sign up for a job but do not show up.

14. I was told by People Ready not to sign up for another job unless I had secured transportation, because I would risk suspensions like this one.

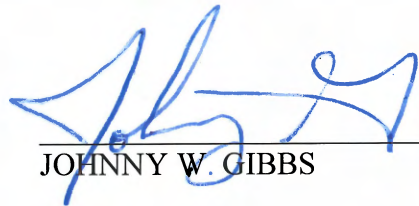
15. I have been limited to informal odd jobs as a consequence of my inability to drive, but such jobs are also difficult to find, and I have gone weeks without any kind of employment—formal or informal—whatsoever.

16. I have continued to suffer other harms because of my continued inability to obtain a valid driver's license. Without a license, I have missed holidays, birthdays, and other milestones in the life of my young step-daughter, whom I love very much. I recently became a father to a daughter by the same mother. I missed the birth of my daughter because I did not have a ride, and I did not see her until she was several weeks old. I have only been able to visit my daughter twice in the last two months, and I am heartbroken that I cannot see her or my step-daughter more frequently. I think about how hard it will be to bear my daughters' disappointment as they get older that I cannot see them because I do not have a driver's license.

17. I am unable to help my family with other basic needs. My ailing father recently had an emergency leg amputation. I was unable to visit him at the hospital for the first several days of his stay because I did not have transportation.

18. I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 14, 2018  
Murfreesboro, TN



JOHNNY W. GIBBS